

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Weber, Gerhard P.  
SERIAL NO : 09/490,394  
FILED : January 24, 2000  
TITLE : HYBRID MAIZE PLANT & SEED 39W54

Grp./A.U. : 1638  
Examiner : Fox, David T.  
Conf. No. : 7097  
Docket No. : P04359US0

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NOV 27 2002

GROUP 1600

## AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated August 28, 2002, please consider the following remarks.

In the Claims

Please amend claims 6, 8, 10-11, 14-15, 18-19, 21, 23-24, 27-28 and 31-32 as follows:

## 6. (Twice Amended)

The tissue culture according to claim 5, the cells or protoplasts of said cells having been isolated from a tissue selected from the group consisting of leaves, pollen, embryos, roots, root tips, anthers, silks, flowers, kernels, ears, cobs, husks, and stalks.

## CERTIFICATE OF FACSIMILE TRANSMISSION (37 C.F.R. § 1.6(a)(3))

I hereby certify that this document and the documents referred to as enclosed therein are being transmitted via facsimile to: Technology Center 1600 (Art Unit 1638) 703-872-9306, Attention: David Fox, Assistant Commissioner for Patents, Washington, D.C. 20231, on this 27 day of November, 2002.

Heidi S. Nebel  
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